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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,292	11/27/2001	Rimas Buinevicius	070156-0168	9711

26371 7590 11/19/2008
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EXAMINER

LE, MIRANDA

ART UNIT	PAPER NUMBER
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2169

MAIL DATE	DELIVERY MODE
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11/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/995,292	Applicant(s) BUINEVICIUS ET AL.	
	Examiner MIRANDA LE	Art Unit 2169	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: None.
 Claim(s) objected to: None.
 Claim(s) rejected: 1,2,4,6-14,16,18-23,25 and 31-33.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
 See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
 13. ☐ Other: _____.

/Miranda Le/
 Primary Examiner, Art Unit 2169

Continuation of 11. does NOT place the application in condition for allowance because: Applicants' arguments do not overcome the final rejection.

Applicant's arguments have been fully considered but they are not persuasive. The Examiner has thoroughly reviewed Applicants' arguments but firmly believes that the cited reference reasonably and properly meet the claimed limitation. Applicants are reminded that the Examiner is entitled to give the broadest reasonable interpretation to the language of the claimed as explained below. The Examiner is not limited to Applicants' definition which is not specifically set forth in the claims.

I. Claims Rejections Under 35 U.S.C 103(a)

A. Cross-matching multiple factors of the individual with at least some of the plurality of individuals in the relational database to confirm the individual's identity.

In response to Applicant's argument with respect to "Yap teaches matching input data of a person with the stored data of the same, single, person, not with "at least some of the plurality of individuals" as claimed", the examiner respectfully disagrees. Applicant's arguments are irrelevant because Yap teaches checking for matches of biometrics data (col. 8, line 66) which suggests that Yap does disclose cross-matching multiple factors of the individual with at least some of the plurality of individuals in the relational database to confirm the individual's identity. It is noted that if the input data and the stored data belong to the same person the step of checking need not to be performed.

Thus, Yap teaches checking If there is no match of biometrics data in col. 8, line 66 read on claimed limitation "to confirm the individual's identity".

B. There is not reason, motivation, or suggestion to combine the cited references.

Applicant seems to be questioning whether the Lee, Mindrum and Yap references are combinable to reasonably establish the prima facie case of obviousness under 35 USC 103. In response to the preceding arguments, the examiner submits that in order for references to be combinable to reasonably establish the prima facie case of obviousness under 35 USC 103, they must be analogous and within the same field of endeavor.

In this case, the instant application is directed to a security checking method of capturing, analyzing, and accessing disparate types and sources of media, biometric, and database information.

The teachings of Lee, Yap and Mindrum are directed to the same field as the instant application as they are all directed to the same security checking method of capturing, analyzing, and accessing disparate types and sources of media, biometric, and database information. These references are analogous and within the same aspects of endeavor, and thus, they are combinable for the following reasons:

Lee teaches:

Capturing (i.e. The subject integrated identification data capture system is generally directed to a system for acquiring and storing different aspects of a subject's identifying data. More specifically, the integrated identification data capture system provides the measures necessary for a user to concurrently acquire in a simple yet reliable manner a predetermined set of a subject's identifying data, col. 1, lines 10-18, See Fig. 8A);

Analyzing (i.e. measures a given biometric parameter and transduces the captured data to electronic form for incorporation into the given subject's identification record by controller 110, col. 5, lines 35-48), and accessing (i.e. An electronic version of the record may also be readily delivered electronically to other remote sites via suitable computer network means for reproduction at those sites seeking access to such identification information, col. 5, lines 23-35) disparate types and sources of media, biometric, and database information (i.e. The image capture devices operate to concurrently generate a plurality of graphic representations of the subject, and are adjustably disposed for respectively rendering the graphic representations from preselected view orientations. The auxiliary data capture device operates to capture at least one predetermined biometric parameter pertaining to the subject. In one preferred embodiment, the subject system includes at least one auxiliary data capture device selected from the group consisting of: a weight sensor, a height sensor, a fingerprint digitizer, a handwriting sample capturing electronic writing pad, and a document scanner, col. 3, line 55 to col. 4, line 20).

Yap teaches:

Capturing (i.e. biometrics data from the person is input or scanned by a suitable biometrics recording device such as a camera for scanning a face, retina, ear, etc. or a palm or finger print scanner described above or any other suitable biometrics data input device, col. 8, lines 1-17), analyzing (i.e. compares all of the input data, col. 8, line 1-17), and accessing (i.e. information stored on the improved security identification document is accessible, col. 8, lines 1-17) disparate types and sources of media, biometric, and database information.

Mindrum teaches:

Capturing (i.e. The present invention relates generally to recording and displaying information about entities, and will be specifically disclosed as a method and apparatus for recording and presenting the life story of an individual, col. 1, lines 20-24);

analyzing (i.e. the recordings are categorized into different types, col. 2, lines 32-41) and accessing (i.e. accessing information, col. 6, lines 5-23) disparate types and sources of media, biometric, and database information (i.e. FIG. 5 illustrates a graphical user interface 60 for accessing information about the individual, ... or biography, etc. The screen 61 has a variety of selection options for the user to view and access the data, col. 6, lines 5-23).

Lee implicitly teaches "a security checking" as Such challenges are readily apparent, for example, in the case of Law Enforcement Agencies and their initial processing of subjects arrested for suspected unlawful conduct, col. 1, lines 19-26.

Although Lee does not clearly use the term "a security checking", Yap teaches this limitation (i.e. The present invention relates to an improved security identification document for use in a wide variety of identification and security systems and a method of making the

improved security document. Furthermore, the present invention relates to an improved security access and authorization system using the improved security identification documents. As part of the improved security access and authorization system, an improved method for verifying and authenticating biometrics data is provided. In addition, the present invention relates to an improved airport security system including an automated personal identification and verification security system including an improved security document generating system, col. 1, lines 10-38).

It would have been obvious to one of ordinary skill of the art having the teaching of Lee and Yap at the time the invention was made to apply the system of Lee into the airport security system for security checking as taught by Yap. One of ordinary skill in the art would be motivated to make this combination in order to indicate whether the biometrics data input by the person via the biometrics data input device matches the data stored on the improved security identification document in view of Yap (col. 8, lines 1-17), as doing so would give the added benefit of an improved airport security system as taught by Yap (col. 8, lines 25-39).

Lee and Yap do not explicitly teach the individual information is stored as a multi-modal chronological dossier of the individual.

Mindrum teaches this limitation (i.e. The present invention relates generally to recording and displaying information about entities, and will be specifically disclosed as a method and apparatus for recording and presenting the life story of an individual, col. 1, lines 20-24).

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine Lee, Yap and Mindrum in arriving at the instant invention because, as Lee discloses at column 1 (lines 10-18), his invention may be used to integrated identification data capture system may be used to provide the measures necessary for a user to concurrently acquire in a simple yet reliable manner a predetermined set of a subject's identifying data. Mindrum further provides the ability to assist the user in capturing biometrics data from the person that is input or scanned by a suitable biometrics recording device such as a camera for scanning a face, retina, ear, etc. or a palm or finger print scanner described above or any other suitable biometrics data input device, (col. 8, lines 1-17), comparing/analyzing all of the input data, (col. 8, line 1-17), and accessing information stored on the improved security identification document that is accessible, col. 8, lines 1-17). By combining Lee and Yap, the user could create an improved security access and authorization. It would have been obvious to one of ordinary skill in the art at the time of the invention to add Mindrum's system for recording and presenting the life story of an individual because it would provide an improved an security checking method of accessing and displaying information about the individual by period of time as taught by Mindrum (Summary).

C. Claims 7, 19 - User define search.

The step of searching is taught by the step of accessing information of Lee, Yap and Mindrum as mentioned above.

Mindrum teaches "user define search" as The screen 61 has a variety of selection options for the user to view and access the data, col. 6, lines 5-23.

D. Claims 8, 20 - Second search for more results similar to the search result from the user defined search.

Fig. 14 of Mindrum displays the list of other individuals as Allen Peter, Sylvia Ann ...

E. Claims 11 - Extract, analyze, sort.

The step of extracting is taught by Lee as measures a given biometric parameter and transduces the captured data to electronic form (i.e. measures a given biometric parameter and transduces the captured data to electronic form for incorporation into the given subject's identification record by controller 110, col. 5, lines 35-48).

The step of analyzing is taught by Lee, Yap and Mindrum as mentioned above.

The step of sorting is taught by Mindrum as display all recordations in chronological order, col. 6, lines 24-46.

F. Claim 12 - The number of categorized individuals to find a best match.

The best match is taught by Mindrum as user could compare recordation associated with a selected date against historical events at that date, col. 6, lines 24-46.

II. Conclusion:

Based on the foregoing, it is submitted that all claims are not patentably distinct over the cited art of record.